

**Saint Paul Planning Commission
City Hall Conference Center
15 Kellogg Boulevard West**

Minutes November 14, 2014

A meeting of the Planning Commission of the City of Saint Paul was held Friday, November 14, 2014, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. McMahon, Noecker, Padilla, Reveal, Shively, Wang, Wencl; and Messrs. Edgerton, Gelgelu, Lindeke, Nelson, Ochs, Oliver, and Ward.

Commissioners Absent: Mmes. *DeJoy, *Merrigan, *Thao, *Underwood, and Messrs. Connolly, *Makarios, and Wickiser.

*Excused

Also Present: Donna Drummond, Planning Director; Lucy Thompson, Allan Torstenson, Bill Dermody, Merritt Clapp-Smith, Hilary Holmes, Michelle Beaulieu, Jamie Radel, Leila Tripp, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes October 17, 2014.

MOTION: *Commissioner Reveal moved approval of the minutes of October 17, 2014. Commissioner Noecker seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Wencl had no announcements.

III. Planning Director's Announcements

Donna Drummond reminded the commissioners of the December 19th study session on urban industrial development. This will follow the regular Planning Commission meeting. More information will be sent out about that soon. The City Council approved the Chapter 64 Sign Amendments. The City Council also heard two appeals of Planning Commission decisions. In both cases the Planning Commission's decision was overturned. The permit for 1176 Dale Street to change the nonconforming use for the auto repair that the Commission denied was approved. The non-conforming use permit approved for Premiere Storage at the Schmidt Brewery was denied based on an appeal by the West 7th Fort Road Federation. Two rezonings recommended by the commission were approved for 619-627-Well Street and 662 Payne Avenue.

IV. PUBLIC HEARING: Minor Zoning Text Amendments to Driveway Setback Requirements, Land Use Standards, and T District Uses and Standards – Item from the Comprehensive Planning Committee. (Jamie Radel, 651/266-6614)

Chair Wencil announced that the Saint Paul Planning Commission was holding a public hearing on the Minor Zoning Text Amendments to Driveway Setback Requirements, Land Use Standards, and T District Uses and Standards. Notice of the public hearing was published in the Legal Ledger on October 29, 2014, and was sent to the citywide Early Notification System list and other interested parties.

Jamie Radel, PED staff, gave a power point presentation which can be seen on the web page at: <http://stpaul.gov/index.aspx?NID=3430>

Chair Wencil read the rules of procedure for the public hearing.

The following people spoke.

1. Thomas Nelson representing Exeter Realty, the owner and developer of the former post office, which is the soon-to-be Custom House project on Kellogg Boulevard, spoke in favor of the B4 - B5 text amendment to allow public storage in a mixed-use facility. Others along with them deliver housing units to downtown Saint Paul. The housing growth has been successful and units are leasing up, which is adding to the vitality of downtown Saint Paul. Market studies show that the demand drivers are there for public storage. They think that this amendment, as drafted, would allow a complementary use to grow the vitality of downtown Saint Paul without building new dead space in active areas. This is a way to take existing facilities and propose a limited amount of self-storage to serve the demand that is coming to Saint Paul, and they think that it is a great enhancement and hope that the Planning Commission will advocate and vote in favor of the text amendment.

MOTION: Commissioner Oliver moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, November 17, 2014 and to refer the matter back to the Neighborhood Planning Committee for review and recommendation. The motion carried unanimously on a voice vote.

V. Zoning Committee

SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

One item came before the Site Plan Review Committee on Tuesday, November 12, 2014:

- Saint Paul Assisted Living Facility, addition to existing senior housing facility at 1925 Norfolk Avenue.

OLD BUSINESS

#14-324-859 Forrest Heating – Establishment of nonconforming use as a heating service business. 915 Burns Avenue, NE corner at Clermont. (Leila Tripp, 651/266-6708)

Commissioner Nelson reported that the Zoning Committee laid this case over to the November 25, 2014 meeting.

NEW BUSINESS

#14-337-613 Face to Face Health and Counseling Service – Rezone from RT1 Two Family residential to T2 Traditional Neighborhood. 798 Rose Avenue East between Arcade and Wiede. (Bill Dermody, 651/266-6617)

MOTION: *Commissioner Nelson moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.*

#14-339-543 Big Steer Meats – Rezone from R4 One-Family Residential to B2 Community Business and White Bear Avenue. Overlay District. 1762 Minnehaha Avenue East between White Bear Avenue and Flandrau. (Bill Dermody, 651/266-6617)

MOTION: *Commissioner Nelson moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.*

#14-339-430 Joe Urbanski – Rezone from B2 Community Business to T2 Traditional. 1396 White Bear Avenue North between Sherwood and Cottage East. (Bill Dermody, 651/266-6617)

MOTION: *Commissioner Nelson moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.*

#14-339-857 Bring Your Part Auto – Reestablishment of nonconforming use for auto repair. 847 Hudson Road, East at intersection of Plum and Bates. (Jake Reilly, 651/266-6618)

MOTION: *Commissioner Nelson moved the Zoning Committee's recommendation to approve the reestablishment of nonconforming use subject to additional conditions. The motion carried unanimously on a voice vote.*

#14-339-687 Sunlight Senior Living – Conditional use permit to add 23 assisted living units (for a total of 48), and to add 10 memory care units (for a total of 19). Variances of maximum lot coverage and minimum rear yard setback. 400 Western Avenue North between Fuller and St. Anthony Avenue. (Hilary Holmes, 651/266-6612)

MOTION: *Commissioner Nelson moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried unanimously on a voice vote.*

Commissioner Nelson announced that because of the Thanksgiving Day Holiday the next Zoning Committee meeting will be on Tuesday, November 25, 2014.

VI. Transportation Committee

Commissioner Lindeke reported that at their last meeting they heard from Paul Kurtz, Public Works staff, about the Regional Solicitation for Metropolitan Council funding. The City applies every two years to this process in which the City competes against the whole region for funding for transportation projects. Metro Transit has a Service Improvement Plan that is out for comment and Michelle Beaulieu, PED staff talked about that, and they also heard from Anton Jerve, PED staff about the 8-80 Vitality Fund.

Commissioner Lindeke also announced the items on the agenda for the next Transportation Committee meeting on Monday, November 17, 2014. And the action today is:

Draft of the Saint Paul Bicycle Plan – Presentation by Reuben Collins, Transportation Planner/Engineer, Public Works. (*Reuben Collins, 651/266-6059*)

Reuben Collins, Public Works staff, gave a power point presentation which can be seen on the web page at: <http://stpaul.gov/index.aspx?NID=3430>

Commissioner Reveal referred back to the Grand Round map, saying that the West Side Flats Master Plan revision have developed a bicycle plan and she does not see discussion of connection to it or thinking about how it gets incorporated into the citywide plan. The plan has its own mini round and they all contemplated that it would be connected at some point. It's a very important part of that plan.

Mr. Collins said that in some of the Parks Department planning they identify the Grand Round as one large loop and then separate mini loops throughout the city and he believes that one of those was in the west side. This figure only shows the larger loop. Another thing that is happening is the Parks Department is planning to release a RFP soon hire a consultant to do some larger Grand Round planning.

Commissioner Reveal said she would not characterize it as a little loop. It's all of the area on the other side of the river and it's very significant portion. The Planning Commission will be looking at the West Side Flats master plan in about a month and she hopes that in the future they have some discussion about how the west side gets linked in to the rest of this citywide system.

Commissioner Ward said that he was talking to one of his neighbors about bicycle paths. He is close to Como Park by Wheelock Parkway and there are a lot of bicyclists that use that particular trail all year round. And his question is how does all this get paid for and where does this money come from? And who is going to maintain this and where is that money going to come from? He noted that in one of the charts presented, there is about \$3.5 million or more that goes toward maintenance and up keep, but again where does all of this money come from and who is paying for it? Because we all are taxpayers and we all pay into this system. If what's out there is for the public good at what point does it become too much for the public good?

Mr. Collins said in terms of where will new capital funding come to develop the network, the answer is they don't know. They assume that a lot of these projects will be implemented through already funded road projects but beyond that he thinks that they will see some CIB applications. They are also submitting some applications for federal funding to help implement some of this. He anticipates that it will be a cobbled together pot of a lot of different types of funding. This plan does not establish a timeline for implementation, it doesn't give any indication or not about how quickly they think they will be able to implement all of this.

Commissioner Ward asked what type of studies have they done or are available that he might be able to point somebody to that discuss or show the investment and then the return that's gained by implementing a planned interconnected city that uses less automotive transportation and more bicycling. He knows that there are some health benefits but what other benefits are there?

Mr. Collins said he did not have a great answer for that right now but he thinks that is something they are definitely looking at a staff level. Trying to quantify some of those benefits is a difficult thing; there is a lot of academic research that's trying to answer some of those exact same questions. But in terms of pointing to a specific study right now he does not have that.

Commissioner Ochs said you could hypothetically evaluate this by counting the average daily number of people using the bicycle lanes and quantifying that in terms of less impact on the roadways than from the same number of cars. Therefore you might have a right-a-way that would last a lot longer than typical asphalt on those roadways. So if people are moving on bicycles in and out of downtown instead of using a car the roads won't have to be repaired as often and you would have a longer lasting facility. Would you agree to that?

Mr. Collins agreed and he also thinks they can point at some studies that have been done at the federal level. Transit for Livable Communities has produced a series of reports indicating that as a result of targeted investments in bicycle facilities they have seen increased use in those facilities.

Commissioner Lindeke said that when reconstructing a street or overlaying a street how much more does it cost to add a bike lane or bike infrastructure?

Mr. Collins said that it adds almost no cost to the project. Imagine an overlay where they grind off the top couple inches of asphalt. They would have to restripe the road anyway so it makes sense to stripe it with bike facilities.

Commissioner Noecker wanted to know about the opposition to the plan from downtown business owners about the lack of parking.

Mr. Collins said that so far they have received a lot of support from downtown businesses. For example the draft plan said that they would like to put the proposed downtown loop on St. Peter and they received a letter from Wabasha Partners and BOMA saying that the owners of businesses on Wabasha would like the bike lane moved there instead of on St. Peter. They have had conversations with some of the property owners along Fourth Street who are enthusiastic about this idea and he thinks are recognizing the value that these facilities can provide relative to the value of on-street parking.

Commissioner Edgerton said regarding downtown the idea of a bike plan is good and he assumes it's being well coordinated with the overall transportation plan, because when you're talking downtown it's a mix of cars, parking, driving, bikes and pedestrians. It seems it really should be not just a plan by itself but part of a complete streets type plan. To try to lay out where should the bike paths be in a bike plan without looking more at the context of Wabasha's great but if it is really tight how would that even work. You really need to look at the overall picture of what's going on in the street.

Mr. Collins said at a staff level they are trying to do that. There have been a lot of eyes from a staff level looking at this plan. They had representatives from Parks, Public Works and from the Planning Department. Each brought a unique perspective about things they're trying to accomplish in downtown so they did have a conversation about the primary transit spines through downtown are 5th and 6th for transit traveling east-west. That's one of the reasons why they don't see a recommendation for a bike facility on 5th or 6th on the map. North south transit is primarily

on Wabasha and Minnesota that's one of the reasons why there isn't a recommendation for Minnesota for example. So at a staff level they are trying to have some of those conversations.

VII. Comprehensive Planning Committee

Parkland Dedication Amendments Study – Release for public review and schedule a public hearing for Jan. 16, 2015. (*Jamie Radel, 651/266-6614*)

Jamie Radel, PED staff, gave a power point presentation which can be seen on the web page at: <http://stpaul.gov/index.aspx?NID=3430>

Commissioner Padilla said that the whole purpose of the Parkland Dedication fee is to serve the community around the development. And what she has seen in many municipalities and locations is that they utilize a parkland dedication fee wherever they want to, so what are the safeguards to actually purchase property directly adjacent to or nearby that serves the property that the fee is coming from?

Ms. Radel said that in the code as drafted there is a provision where the money collected would have to be spent within one-half mile of the project where it was collected from or, if there is no planned park in that area, it could be spent on the closest neighborhood- or community-scale park that would serve that particular development.

Commissioner Padilla asked what the intention is to acquire new parkland in a fully developed area—is it to buy out a residential home and demolish it or what is the specific parkland goal?

Ms. Radel said that she cannot answer that at this point in time; she thinks that the Parks Department would work with properties owners to acquire land when that opportunity presented itself.

Commissioner Padilla said that in other cases you would just bank the money to wait for that opportunity. She struggles with the idea of exacting a fee if there is no plan for how to utilize the fee. She knows it is tough, and she wants the parks to be developed, but this is what builders struggle with and the cost of development is a fine tipping point. Also, she has struggled in many instances in other communities where a fee is exacted for an unplanned facility—she wants to make sure land is going to be acquired and that the fee is spent as intended and not going into the general fund of the Parks Department. She finds that personally challenging as we make these decisions.

Ms. Radel said that in Saint Paul there is a special fund that is set up to hold Parkland Dedication fees; fees collected do not go into the general fund of the Parks Department. And by state law, parkland dedication fees can only be used for acquisition and development of a park. That is how it is used in Saint Paul and that is how they intend to use it in the future. She cannot predict where the Parks Department ultimately wants to purchase specific parcels, but there is a systems plan that identifies areas that are currently underserved, and as new developments come in, they are going to be under served because there are often not parks in these infill areas.

Donna Drummond, Planning Director, added that this will also be useful in situations like the Ford site and the Snelling University redevelopment where they're planning for significant redevelopment and those developments will need new park spaces. Also as Ms. Radel mentioned

the funds can be used for capital improvements of existing parkland so it does not always have to be acquisition.

Commissioner Ward asked why there is a difference in affordable housing rate that is applied versus a market value rate for the parkland dedication fee.

Ms. Radel said that it was established as a policy direction back when the parkland dedication ordinance was created in 2007. There was a desire to not overly increase the gap for affordable housing projects. The law does allow for the complete elimination of the Parkland Dedication fee for affordable housing units, but staff feels it is important for those projects to still contribute to the parkland fund because affordable housing units are bringing new people to the community and therefore creating a new need for additional parkland. It is trying to balance the gap or expansion of the gap versus the complete decrease or zeroing out of the parkland dedication fee.

Commissioner Ward said in theory if more people are moving into the area and those people moving into the area are less affluent wouldn't it make more sense to keep the fee level, because if there are more people there is going to be more use of that parkland. So why is it that because I live in a subsidized housing project, I get less land and less parks, and because those that are in a market-rate development receive the benefits of more money and they get to enjoy the better parks. It seems somewhat discriminatory.

Ms. Radel said that parkland dedication is not the only source of revenue that the City can use for parks; it is one tool. If a park planning project identifies areas of need for parkland this is not the only funding mechanism to provide parks if there is a deficit of parkland in that area.

Commissioner Ward asked where that money is coming from. If it can only be used within the neighborhood and within the area of the development then that negates being able to use it anywhere else. So you are somewhat limited are you not?

Ms. Radel agreed that is an excellent point and the Planning Commission can talk about alternative ways, such as increasing it to the full value of the parkland dedication fee that a non-affordable dwelling unit would have to pay. The City's neighbor to the west is charging zero for parkland dedication for their affordable housing projects. We need to strike a balance between generation of funds and creating a gap that perhaps is unable to be funded through the funding mechanisms that create affordable housing; it is a fine line they need to walk.

Commissioner Ward said, but again, if you want to live in Saint Paul, we are providing these amenities then that is a reason for living here versus doing what everybody else does. And why do we care about what the neighboring communities are doing if this is the culture and environment that we want to build and attract people to Saint Paul.

Ms. Radel said she looks for suggestions from the commission on this draft; if there is a consensus from the group that you would like to amend the draft ordinance to increase affordable housing's requirement to the full amount of the parkland dedication fee, that is something that can be contemplated.

Commissioner Nelson said back when the original parkland dedication public hearing happened most of the testimony heard with regard to affordable housing and reducing the fee came from community development agencies who did not want to overburden the already difficult task of

trying to develop affordable housing. It mostly came from the community development entities of the city where that particular item of reduced fee came from.

Commissioner Wang said that it appears on the last page of the report that, in practice, most developments buy out their parkland requirement. Is that correct?

Ms. Radel replied correct, they have only had a handful of instances where someone has dedicated land to the city that they were willing to accept.

Commissioner Wang asked if that is similar to Minneapolis?

Ms. Radel said that Minneapolis just instituted their ordinance in January so she does not have any data on that, but she would suspect it is the same.

Commissioner Wang said that part of the idea behind this is that we provide open space and parkland to communities near them and she understands why we have this but it is unfortunate that it happens that most developers buy out their obligation.

Ms. Radel added that when they are looking at parcels for potential land dedication, that an acre or less of developable land provides so little land that you need to aggregate several projects together to get enough money or enough land to create a useable park space.

Commissioner Wang said she understands, but we don't see that happening either.

Commissioner Padilla added that mostly when you see the land dedication it is in the suburbs where someone is doing a larger scale of development, and they create a community park within that development. The Ford site is a perfect example and redevelopment along University Avenue where there might be a chance to aggregate some land within those sites to do an actual park. She is fully supportive of the fee, because there is that fine balance, and affordable housing is not the only thing that is tough to finance. So it can create a tipping point for a lot of different developers and we should be cautious about how we exact fees and that we have the intention and ability to spend them appropriately before we take them.

MOTION: Commissioner Noecker moved on behalf of the Comprehensive Planning Committee to release the draft for public review and set a public hearing on January 16, 2015. The motion carried unanimously on a voice vote.

Donna Drummond, Planning Director announced the items on the agenda at the next Comprehensive Planning Committee meeting on Tuesday, November 18, 2014.

VIII. Neighborhood Planning Committee

Shepard Davern Area Plan Update and Zoning Study – Approve resolution recommending plan and zoning study to Mayor and City Council. (Michelle Beaulieu, 651/266-6620 and Merritt Clapp-Smith, 651/266-6547)

Merritt Clapp-Smith summarized the major issues that the Committee was discussing, for a better understanding of what that topic was.

Commissioner Edgerton asked to know the difference between the T3 and B2 in regard to parking and drive-throughs, which were identified as the reasons for keeping the current zoning.

Ms. Clapp-Smith said that the T3 zoning district does not allow drive-throughs associated with commercial properties, and it requires the parking to be placed to the side or the rear of the building. In the case of the redevelopment being considered for the Sibley Plaza property, the proposed plan shows keeping the parking at the front of the property along West 7th and having one or more anchor tenants utilizing a drive-through. When parking placement for the redevelopment was discussed with community members, some indicated a preference for keeping in front where it can be easily seen and monitored, since there is a history of some nuisance activities occurring in the parking lot. They felt that moving the parking to the side or to the rear next to the railroad tracks would decrease public visibility and might therefore allow a greater degree of nuisance activity.

Commissioner McMahon said that the community plan and zoning update on the whole is great, but that she is concerned about missing an opportunity with the redevelopment of the Paster Properties. There is a lot of potential in that part of the city and most of the proposed Sibley Plaza redevelopment could work with T3 zoning; the exception being the parking placement and inclusion of drive-throughs. If it remains B2 zoning, it will not match the rest of the T zoning proposed around it. This area is a gateway into Saint Paul, where long term vision and T3 zoning would be consistent with the vision for urban development across the city in areas like this.

Commissioner Lindeke asked for an explanation behind the staff recommendation of T3 for the Sibley Plaza parcels – why would no drive-throughs and parking to the side or rear of the building be a good thing?

Ms. Clapp-Smith said that the rationale is that if you bring the buildings up to the sidewalk and street, it makes it more accessible and safer for pedestrians, and potentially bicyclists, because people on foot or bicycle would not have to cross the parking lot to get to the store fronts. From an urban design perspective, bringing the building closer to the street creates a sense of enclosure on the street that some people find inviting.

Commissioner Lindeke asked if in the public conversation about this plan, West 7th and this parcel, was there a lot of concern about crossing the street and walking access.

Ms. Clapp-Smith said that throughout the task force process many of the concerns expressed in the neighborhood related to the speed and volume of traffic on West 7th and how it is very difficult to cross. It is even difficult for cars going in and out of some of the businesses on West 7th due to the speed and volume of traffic. The real problem at this point is the design of the roadway and the design of the crossings that don't provide a feeling of security or time for pedestrians to get across.

Commissioner Lindeke said that these points emphasize the importance of thinking about planning all things together. You can't just look at these parcels without thinking of transportation and how the street is designed -- that's the dominant situation in this neighborhood. West 7th Street and the Riverview Corridor Study should be part of conversation, even though they are still vague right now.

Commissioner Ochs said that he firmly believes that the railroad tracks are going to have a different purpose in the future, with an opportunity for a transit station to occur off of 7th Street via those railroad tracks. Perhaps that transit station could be next to West 7th Street, behind the Sibley Plaza parcel. Having a wide corridor for pedestrians along West 7th Street in such highly dense populated area with lots of multi-family housing is important and therefore he encourages T3 zoning over B2.

Commissioner Nelson said that he has come to the conclusion that for all the talk about future plans -- what the railroad tracks are going to be, what West 7th is going to be -- there is no certainty behind these future visions. They could be 10, 20, or 30 years off, whereas today we have a developer who wants to begin redevelopment in the next year. How can the site be designed now for something we are uncertain about? For instance, is the future front door of the site going to be the railroad tracks or West 7th? There is a lot of indecision in future plans, and the developer has to make a decision today on what he's doing. Commissioner Nelson said he looked at the site plan and did some quick little layouts of his own, and what he thought might work best on the site would require a lot of variances, with regard to parking and the use of drive-throughs. He came to the conclusion that given the situation in the area, and the fact that community members really want redevelopment in the area following a slow downward trend, that and the proposed Sibley Plaza project under current zoning is an opportunity to improve the quality level of what is there. If in the future, 20 years down the road, we get a nice transit stop here, then there's nothing to preclude it from being redeveloped again or adding more building space in the front. Leaving the zoning as it is at this point in time, given all the facts on the table, is probably the best way to proceed.

MOTION: *Commissioner Oliver moved to approve the resolution recommending that the plan and zoning study be adopted by the Mayor and City Council. The motion carried 10-2 (McMahon, Ochs) on a voice vote.*

Commissioner Oliver announced the items on the agenda at the next Neighborhood Planning Committee meeting on Wednesday, November 19, 2014.

IX Communications Committee

No report.

X. Task Force/Liaison Reports

Commissioner Reveal pointed out that the West Side Flats had one outstanding recommendation from the task force that they need to take action on at some point. That is to put a small group together to try and develop a first cut of guidelines for how the Planning Commission and Zoning Committee should interpret future view analyses and studies. They're thinking about some kind of guidelines similar to what they have for duplex and triplex conversion and other things that aren't code but are helpful in making decisions. They are recommending that a small task force be put together with a recommendation to the Comprehensive Planning Committee and if a more formal process is needed it will be done then.

Chair Wencl gave an update on the Gateway Station Area Planning Task Force. They met on Wednesday evening and the discussion was about where the stations are going to be, especially

the Sun Ray, Earl Street and actually four of the five are up in the air so they decided that they needed to focus on one at a time. And at the next meeting they will focus in on just one of them.

Donna Drummond, Planning Director announced that the Ford Site Task Force met last week and that was followed by a big public meeting last Monday night. It went really well as they received a lot of positive feedback. This was an update to the community on the status of the site and activities moving forward in the next year.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 10:30 a.m.

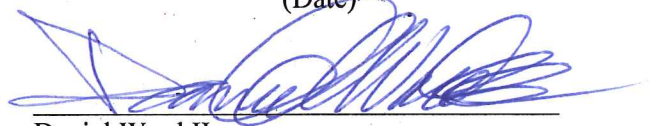
Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Donna Drummond
Planning Director

Approved December 19, 2014
(Date)



Daniel Ward II
Secretary of the Planning Commission